

Amendments to the Drawing Figures:

The attached drawing sheet(s) include proposed changes to FIG. 3 and replaces the original sheet 3 including FIG. 3.

Attachments: Replacement Sheet 3.

REMARKS / DISCUSSION OF ISSUES

Claims 1-16 are pending in the application.

Applicant has amended independent claims 1, 5, 11 and 13 to simply clarify certain features. Claim 17 is newly added. No new matter has been added, as this description can be found in the Abstract as well as in other parts of the disclosure.

Objection to the disclosure

The Office action objects to the inclusion of an executable Internet link in the specification and requires correction. Correction has been made herein. Withdrawal of the objection to the disclosure is respectfully requested.

Objection to the drawings

The Office action objects to figure 3 and requires a corrected drawing be provided. Correction has been made. No new matter has been added. Withdrawal of the objection to the drawings is respectfully requested.

The specification has been amended to include the reference designators and associated descriptions from Figure 3 into the specification. The clarifications are based on the original disclosure. No new matter is entered.

Rejection of claims under 102

On page 3 of the non-final Office Action claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman *et al.* (US Patent No.6,288,716).

In the prior Office Action of February 21, 2008 Humpleman *et al.* is pointed to as showing the claimed features in the abstract; col. 2, line 36 to col. 3, line 5; col. 4, lines 33-41; and col. 11, lines 1-21. Applicant respectfully disagrees and repeats the arguments filed on 19 May 2008.

Humpleman *et al.* discloses “a method and system for commanding and controlling diverse home devices” (see Abstract) “that provides an interface for the commanding and controlling of the home device over the home network” (see Column 4 lines 31-32).

At most Humpleman *et al.* describes that each home device has an associated unique IP address and logical name pair (col. 11). The unique IP address is then used for communicating with the home device 302 over the home network (col. 12, lines 1-12).

Nowhere does Humpleman *et al.* disclose the feature of claim 1: initiating retrieval of data by the consumer appliance from a server based on a predetermined URL or an identifier thereof associated with the consumer appliance. For example, Humpleman *et al.* does not suggest initiating retrieval of data by the consumer appliance from a server based on a IP address associated with the home device.

Humpleman *et al.* controls the device but fails to teach that the device accesses a server. Simply put, Humpleman *et al.* is a system for “commanding and controlling diverse home devices” while applicant’s claimed invention enables a consumer appliance to **access** a server on the Internet through the home network.

The independent claims 5, 11 and 13 each include features similar to those discussed above with regard to claim 1. Applicant essentially repeats the above arguments for each independent claim and claim dependent thereon.

The Office Action fails to provide evidence that each and every element of the claimed invention be disclosed in a single prior art reference. Claims 1-16 are not anticipated by Humpleman *et al.* Withdrawal of the rejection of claims 1-16 under 35 U.S.C. §102(e) is respectfully requested.

Conclusion

In view of the foregoing, applicant respectfully requests that the Examiner withdraw the objections and rejections of record, allow all the pending claims, and find the application in condition for allowance.

Respectfully submitted,

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